

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND DIVISION

IN RE:	§	
	§	
LAJITAS RESORT, LTD.	§	Case No. 07-70143-RBK-11
	§	
	§	(Jointly Administered)
Debtors in Possession.	§	Chapter 11

AFFIDAVIT OF J. TRAVIS ROBERTS, JR., RPLS, PE

I, J. Travis Roberts, Jr., RPLS, PE, depose and state as follows:

1. “My name is J. Travis Roberts, Jr., and I am the sole owner and President of Trans Pecos Land Surveyors, Inc. (“Trans Pecos”). As President of Trans Pecos, I am authorized to submit this affidavit on behalf of Trans Pecos.
2. I have personal knowledge of the facts set forth herein as a result of my position as President of Trans Pecos.
3. Trans Pecos has a contract with Lajitas Resort, Ltd. to perform land surveying services and for the preparation of a long term water plan (the “Contract”).
4. On or about October 15, 2007, Trans Pecos filed a proof of claim (the “Proof of Claim”) in the bankruptcy case of Lajitas Resort, Ltd. asserting a claim in the amount of \$125,820.48 for amounts due in connection with the Contract.
5. Trans Pecos consents to the Contract being assumed by Lajitas Resort, Ltd. and assigned to Kelcy L. Warren (or an affiliate thereof or entity designated thereby) in exchange for the payment of \$60,000 (the “Cure Payment”), which shall cure any and all defaults existing under the Contract at the time of its assumption and assignment.
6. Trans Pecos agrees that the form of Contract to be submitted to this Bankruptcy Court at the hearing to be held on December 18, 2007 will govern the contractual relationship between the parties thereto upon the Contract’s assignment to Kelcy L. Warren (or an affiliate thereof or entity designated thereby).
7. Except for the Cure Payment, Trans Pecos agrees not to assert or seek to collect upon any claims set forth in the Proof of Claim other than for defensive purposes including, without limitation, the defenses of offset or recoupment.

8. The foregoing statement is submitted under penalty of perjury and I hereby swear that the foregoing is true and correct to the best of my knowledge."


J. TRAVIS ROBERTS, JR.

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